

**RESOLUTION GRANTING THIRD ROUND SUBSTANTIVE CERTIFICATION #13-09**

**City of Beverly, Burlington County**

WHEREAS, the City of Beverly, Burlington County, petitioned the Council on Affordable Housing (COAH) for substantive certification of a Housing Element and Fair Share Plan addressing its total 1987-2018 affordable housing obligation on December 30, 2008; and

WHEREAS, Beverly published notice of its petition in the *Burlington County Times* on March 17, 2009, which is a newspaper of general circulation within the county, pursuant to N.J.S.A. 52:27D-313 and N.J.A.C. 5:96-3.5; and

WHEREAS, no objections to the plan were received by COAH during the 45-day objection period, which ended May 1, 2009; and

WHEREAS, the City of Beverly's Fair Share Plan addresses a total 1987-2018 affordable housing obligation of 113 units, consisting of a 16-unit rehabilitation share, a 18-unit unmet need from the prior round obligation and a 79-unit projected growth share obligation pursuant to N.J.A.C. 5:97; and

WHEREAS, as part of its second round certification, Beverly was granted a vacant land adjustment of 18 that resulted in a reduced new construction obligation or realistic development potential (RDP) of zero and an unmet need of 18; and

WHEREAS, the 79-unit projected growth share obligation is greater than the initial projected growth share obligation of 16 affordable units as a result of Beverly calculating its own household and employment growth projections pursuant to N.J.A.C. 5:97-2.3(d); and

WHEREAS, COAH staff has reviewed the City's Housing Element and Fair Share Plan, which is incorporated by reference herein; and

WHEREAS, Beverly proposes to address its 16-unit rehabilitation share with 12 credits from its municipal rehabilitation program and four surplus new construction credits from the Waterfront Development Area; and

WHEREAS, the City proposes to address its 18-unit unmet need from its prior round obligation with four credits from the Beverly Commons Senior Housing Complex; five credits from the Habitat for Humanity units; and seven units from the Burlington County Community Action Program; and

WHEREAS, Beverly proposes to address its 79-unit projected growth share obligation with 19 credits from the Beverly Commons Senior Housing Complex; five credits from the Habitat for Humanity units; 60 units from the Waterfront Development Area; and four units from the Beaunit Mills Development Area; and

WHEREAS, pursuant to N.J.A.C. 5:97-3.2(a)4, Beverly has provided an implementation schedule that demonstrates a realistic opportunity and sets forth a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.6 for the Waterfront and Beaunit Mills redevelopment projects; and

WHEREAS, the redevelopment areas meet COAH's site suitability standards, are located in Planning Area 1 and are served by public water supply and wastewater systems; and

WHEREAS, pursuant to N.J.A.C. 5:96-6.2(a)2, on May 21, 2009 COAH issued a Compliance Report (attached as Exhibit A and incorporated by reference herein) recommending approval of the City of Beverly's petition for third round substantive certification; and

WHEREAS, the 14-day period to submit comments to the COAH Compliance Report pursuant to N.J.A.C. 5:96-6.2(b) ended on June 3, 2009 and COAH did not receive comments.

NOW THEREFORE BE IT RESOLVED that the Housing Element and Fair Share Plan submitted by the City of Beverly comports to the standards set forth at N.J.S.A. 52:27D-314 and

meets the criteria for third round substantive certification pursuant to N.J.A.C. 5:96-6.3; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-6.2(a), after having reviewed and considered all of the above, COAH hereby grants third round substantive certification to the City of Beverly; and

BE IT FURTHER RESOLVED that after receiving final substantive certification, pursuant to N.J.A.C. 5:96-6.3(e), Beverly shall adopt all implementing Fair Share Ordinances within 45 days of this grant of substantive certification; and

BE IT FURTHER RESOLVED if the City fails to timely adopt its Fair Share Ordinances, COAH's grant of substantive certification shall be void and of no force and effect; and

BE IT FURTHER RESOLVED that Beverly shall submit all Fair Share Ordinances to COAH upon adoption; and

BE IT FURTHER RESOLVED that Beverly shall comply with COAH monitoring requirements as set forth in N.J.A.C. 5:96-11, including reporting the City's actual growth pursuant to N.J.A.C. 5:97-2.5; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-10.1, COAH shall conduct biennial plan evaluations upon substantive certification of Beverly's Housing Element and Fair Share Plan to verify that the construction or provision of affordable housing has been in proportion to the actual residential growth and employment growth in the municipality and to determine that the mechanisms addressing the projected growth share obligation continue to present a realistic opportunity for the creation of affordable housing; and

BE IT FURTHER RESOLVED that if upon any biennial review the difference between the number of affordable units constructed or provided in Beverly and the number of units required pursuant to N.J.A.C. 5:97-2.5 results in a pro-rated production shortage of 10 percent or greater, the City is not adhering to its implementation schedule pursuant to N.J.A.C. 5:97-3.2(a)4, or the mechanisms addressing the projected growth share obligation no longer present a realistic opportunity for the creation of affordable housing, the Council may direct the municipality to amend its plan to address the shortfall; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:97-2.5(e), if the actual growth share obligation determined is less than the projected growth share obligation, Beverly shall continue to provide a realistic opportunity for affordable housing to address the projected growth share; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-6.3(b), Beverly's substantive certification shall remain in effect until December 31, 2018; and

BE IT FURTHER RESOLVED that any changes to the facts upon which this substantive certification is based or any deviations from the terms and conditions of this substantive certification which affect the ability of the City of Beverly to provide for the realistic opportunity of its fair share of low and moderate income housing and which the City fails to remedy, may render this certification null and void.

I hereby certify that this resolution was  
duly adopted by the Council on Affordable  
Housing at its public meeting on June 10, 2009

A handwritten signature in black ink, reading "René Reiss". The signature is fluid and cursive, with the first name "René" and last name "Reiss" clearly distinguishable.

René Reiss, Secretary  
Council on Affordable Housing



***Council on Affordable Housing  
Compliance Report  
May 21, 2009***



**Municipality:** *City of Beverly*  
**County:** *Burlington County*

**COAH Region:** *5*  
**Planning Area:** *1*  
**Special Resource Area:** *N/A*

**Housing Element and Fair Share Plan Adopted:** *December 22, 2008*  
**Petition for 3<sup>rd</sup> Round Substantive Certification:** *December 30, 2008*  
**Completeness Determination:** *March 5, 2009*  
**Date of Publication:** *March 25, 2009*

**Objections Received:** *No*

**Petition Includes:**  
**VLA:** *Yes*  
**GPA:** *Yes (upward)*  
**Waiver:** *No*      **Section:** *N/A*

**Date of Site Visit:** *TBA*

**History of Approvals:**

	<b>COAH</b>	<b>JOC</b>	<b>N/A</b>
<b>First Round:</b>			<i>x</i>
<b>Second Round:</b>	<i>7/10/1996</i>		
<b>Extended Certification:</b>	<i>5/11/2005</i>		

**Plan Preparer:** *David G. Gerkins, Vice President, CGP&H*

**Municipal Housing Liaison:** *Barbara Sheipe, Clerk/Administrator*

**Recommendation:** *Grant Substantive Certification*

***SUMMARY OF FAIR SHARE OBLIGATION***

Rehabilitation Share	16
Prior Round Realistic Development Potential (RDP)	0
Prior Round Unmet Need	18
Projected Growth Share Obligation (adjusted)	79

***ACTUAL GROWTH and GROWTH SHARE through September 2008<sup>1</sup>***

<b>Res Units (#)</b>	<b>Actual Res Growth Share</b>	<b>Jobs (#)</b>	<b>Actual Non-Res Growth Share</b>	<b>Actual TOTAL Growth Share</b>
11	2 units	8	0 units	3 units

***COMPLIANCE PLAN SUMMARY***

<b>Obligation</b>	<b>Credit/ Mechanism Type</b>	<b># Units Completed</b>	<b># Units Proposed</b>	<b>TOTAL</b>
<b>Rehabilitation: 16 units</b>				
<b>Credits</b>	Post-April 1, 2000	12		12
<b>Program(s)</b>	Surplus New Construction		4	4
<b>Rehabilitation Subtotal</b>				<b>16</b>
<b>NEW CONSTRUCTION:</b>				
<b>Prior Round Realistic Development Potential: 0 units</b>				
<b>Prior Round Unmet Need: 18 units</b>				
<b>Credits</b>	Post-1986	16		16
<b>Prior Round Subtotal</b>				<b>16</b>
<b>Growth Share: 79 units</b>				
<b>Credits</b>	Post-1986	24		24
<b>Proposed Mechanism(s)</b>	Redevelopment Area		64	64
<b>Growth Share Subtotal</b>				<b>88</b>

<sup>1</sup> This growth share number does not take into account allowable exclusions permitted under N.J.A.C. 5:97-2.4; therefore, the actual growth share may vary.

## **I. HOUSING ELEMENT**

Pursuant to N.J.S.A. 40:55D-28(b), the Housing Element is a required section of the Municipal Master Plan. The Housing Element must be designed to achieve the goal of access to affordable housing to meet existing and future housing needs, with special attention given to low- and moderate-income households. The housing needs analysis must include demographic information on existing and projected housing stock and employment characteristics, a quantification of low- and moderate-income housing need, and a consideration of the lands within the municipality that are most appropriate to accommodate such housing. Beverly's Housing Element includes sufficient information regarding housing stock, demographic and employment characteristics and population trends pursuant to N.J.S.A. 52:27D-310.

Under N.J.A.C. 5:97-2.1(b), the Housing Element must also set forth the municipality's fair share obligation, which is the sum of the rehabilitation share, the prior round obligation, and the growth share.

### **A. Rehabilitation Share**

The rehabilitation share is the number of existing housing units within a municipality as of April 1, 2000, that are both deficient and occupied by households of low or moderate income. As indicated in Appendix B of N.J.A.C. 5:97, Beverly has a rehabilitation share of 16 units.

### **B. Prior Round Obligation**

The prior round obligation is the cumulative 1987-1999 new construction obligation provided in Appendix C of N.J.A.C. 5:97. Beverly has a prior round obligation of 18. However, Beverly received a vacant land adjustment of 18 that resulted in a reduced new construction obligation or realistic development potential (RDP) of zero and an unmet need of 18.

### **C. Projected Growth Share**

The projected growth share is initially calculated based on household (residential) and employment (non-residential) growth projections for 2004 through 2018. Pursuant to

Appendix F of N.J.A.C. 5:97, Beverly has a residential growth projection of 47 units and a non-residential growth projection of 101 jobs. However, N.J.A.C. 5:97-2.3(d) permits municipalities to calculate their own household and employment growth projections, such that the total growth share resulting from the municipal household and employment projections exceeds the total growth share resulting from the household and employment growth projection published by COAH.

Beverly included the required Workbook B with its petition for certification (attached as Appendix A) which results in an initial projected growth based on actual growth to date plus the proposed redevelopment area. Beverly calculated a residential growth projection of 331 units and the non-residential growth projection of 202 jobs. Therefore, Beverly's total projected growth share for the period 1999-2018 is 79 affordable units consisting of a 66-unit projected residential growth share and a 13-unit projected non-residential growth share.<sup>2</sup> Upon review of the information submitted by the City, COAH has determined that it satisfies the requirements of N.J.A.C. 5:97-2.3(d).

#### **SUMMARY OF FAIR SHARE OBLIGATION**

Rehabilitation Share	16
Prior Round Realistic Development Potential	0
Prior Round Unmet Need	18
Municipal Projected Growth Share (adjusted)	79

## **II. FAIR SHARE PLAN**

A Fair Share Plan, as required under N.J.A.C. 5:97-3.1, describes the completed or proposed mechanisms and funding sources, if applicable, that will be utilized to specifically address a municipality's rehabilitation share, prior round obligation, and growth share obligation and includes the draft ordinances necessary to implement that plan. Affordable housing must be provided in direct proportion to the growth share obligation generated by the actual growth.

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<sup>2</sup> Pursuant to N.J.A.C. 5:97-2.3(d), Beverly's residential growth projection of 331 is divided by 5 to yield 66 units and the non-residential growth projection of 202 jobs is divided by 16 to yield 13 units. Beverly's total projected growth share is therefore 79 units (66 + 13 = 79).



Beverly's Fair Share Plan, and the supporting documentation incorporated by reference therein, address the requirements of N.J.A.C. 5:97-3.1 as follows:

**A. Plan to Address Rehabilitation Share**

**Rehabilitation Share Credits**

Beverly is requesting credit for 12 units rehabilitated subsequent to April 1, 2000. In accordance with N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11.

**Rehabilitation Credits**

Rehabilitation Program	# Credits
Small Cities CDBG Rehab Program	12
<b>TOTAL</b>	<b>12</b>

**Proposed Rehabilitation Program**

***Municipal Rehabilitation Program***

Beverly initially proposed to address its remaining four-unit rehabilitation obligation with a municipal program but instead elected to utilize surplus new construction credits from the Waterfront Development Area (discussed in detail below). In the event the City rehabilitates units through its municipal rehabilitation program, the City may wish to reconsider utilizing its surplus new construction credit towards its rehabilitation share.

**Proposed Rehabilitation Program**

Rehabilitation Program	# Units
Surplus New Construction Credits	4
<b>TOTAL</b>	<b>4</b>

**B. Plan to Address Prior Round Obligation**

### **Prior Round Obligation Credits**

Beverly is not requesting any credit towards its RDP of zero. The City is addressing the Prior Round Unmet Need with 16 post-1986 credits. In accordance with N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11. The City initially submitted nine Burlington County Community Action Program units to meet its unmet need, however, two units were foreclosed and sold at a Sheriff's sale and are no longer eligible units.

### **Post-1986 Credits (Unmet Need): 18 Units**

<b>Project/Development Name</b>	<b>Year Built or Approved</b>	<b>Type of Affordable Unit</b>	<b># Units/ Bedrooms</b>
Beverly Commons Senior Housing	2007	100% Affordable	4
Habitat for Humanity	2001-03	100% Affordable	5
Burlington County Community Action Program	1993 - 2002	100% Affordable	7
<b>TOTALS</b>			<b>16</b>

### **Proposed Affordable Housing Mechanisms**

Beverly is relying on credits to address its prior round RDP and unmet need and therefore is not proposing any additional affordable housing mechanisms.

### **Prior Round Obligation Parameters**

Beverly has satisfied the applicable Prior Round parameters as follows:

### **Prior Round Age-Restricted Maximum (Unmet Need)<sup>3</sup> : 4 Units**

<b>Development/Project Name</b>	<b>Type of Affordable Unit</b>	<b># Units</b>
Beverly Commons Senior Housing	100% Affordable	4
<b>TOTAL</b>		<b>4</b>

<sup>3</sup> Age-Restricted Maximum:  $.25(\text{Unmet Need})$  or  $.25(18) = 4.5$  or 4 units N.J.A.C. 5:97-3.11

**C. Plan to Address Projected Growth Share**

**Growth Share Obligation Credits**

Beverly is addressing a portion of its projected growth share obligation with 24 units of credit. In accordance with N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11.

**Post-1986 Credits**

<b>Project/Development Name</b>	<b>Year Built or Approved</b>	<b>Type of Affordable Unit</b>	<b># Units/Bedrooms</b>	<b>Bonus Type</b>	<b># Bonuses</b>	<b>Total Units/Bedrooms + Bonuses</b>
Beverly Commons Senior Housing	2007	100% Affordable	19			19
Habitat for Humanity	2001	100% Affordable	5			5
<b>TOTALS</b>			<b>24</b>			<b>24</b>

**Proposed Affordable Housing Mechanisms**

Beverly proposes to address the remaining 55-unit growth share obligation through the following mechanism(s):

***Waterfront Development Area***

Beverly will utilize 60 units from the Waterfront Development Area to address 60 units of its projected growth share obligation. According to The City of Beverly Redevelopment Plan, adopted on October 16, 2007, the development area is over 60 acres and will accommodate 300 townhouses and condominiums, of which sixty units will be affordable (20% set-aside). All affordable units will be non-age-restricted and ten will be very low income rental units. The Waterfront Development (C-3) Zone is proposed to include the blocks between the Delaware River and Second Street from the border with Delanco Township to Cooper Street and will have a maximum density of 15 dwelling units per acre. The City has entered into a Development Agreement with Strategic

Redevelopment Partners (SRP), LLC on February 27, 2008 to redevelop the first two parcels within the Waterfront Area.

The western portion is forested with small pockets of wetlands and contains the former Beverly Municipal Landfill. All wetlands will remain preserved and the landfill will not be developed with housing. The eastern portion is primarily residential and the Beverly Sewerage Authority's (BSA) wastewater treatment plant is situated along the riverfront. The Plan proposes to relocate the treatment plant from its present location to the southwest corner of the development area. Several parcels are in private ownership and must be acquired for plan implementation. Additionally, the existing HUD public housing project (Delacove Homes) will be razed and households will be redistributed throughout the redevelopment area in order to better integrate the residents. Two inactive New Jersey American Water (NJAW) wells, located within the Waterfront Area, will be removed. All parcels are or will be served by public sewer (BSA) and water (NJAW). The area meets the site suitability criteria pursuant to N.J.A.C. 5:97-3.13.

The City estimates in its spending plan to expend \$75,000, beginning in 2015, to fund a portion of this project. State funding, as part of its Transit Village designation, may also be available. The municipality will work collaboratively with private developers, the Beverly Housing Authority and/or nonprofit organizations to seek additional funds through grants for this project. On December 22, 2008, Beverly adopted a Resolution of Intent to Bond in case the project exceeds the funds dedicated from the City's trust fund. The entire project is in Planning Area (PA) 1 and is on the City's implementation schedule to be constructed in phases between 2012 and 2018 and as such supporting documentation is required to be submitted to COAH two years before construction begins. Beverly has provided all required information pursuant to N.J.A.C. 5:97-6.6. **[60 family units]**

#### ***Beaunit Mills Development Area***

Beverly will rely on the former Beaunit Mills property to address the remaining 5.33 units of its projected growth share obligation. Twenty for-sale, non-age-restricted townhouses are planned for this site, of which four will be affordable. The 1.3-acre

property is located at the northeast corner of Railroad Avenue and Broad Street (Block 77, Lot 9) and is adjacent to the Beverly/Edgewater Park Light Rail Train Station. Due to its proximity to the station, this lot was identified in the Beverly/Edgewater Park Transit Oriented Development Neighborhood Planning Study. The property has been cleared, is vacant, contains no wetlands and meets site suitability criteria pursuant to N.J.A.C. 5:97-3.13. The site is served by public sewer (BSA) and water (NJAW).

The property was formally included in the Redevelopment Plan on June 26, 2007 and the City entered into a Development Agreement with SRP on February 27, 2008. SRP owns the site and environmental cleanup is planned. The project is in PA 1 and on the City's implementation schedule to begin construction in 2011 and as such supporting documentation is required to be submitted to COAH two years before construction begins. Per the spending plan, the City estimates expending \$84,469, beginning in 2014, to fund this project. State funding, as part of its Transit Village designation, may also be available. The municipality will work collaboratively with private developers, the Beverly Housing Authority and/or nonprofit organizations to seek grants for this project. On December 22, 2008, Beverly adopted a Resolution of Intent to Bond in the event the project costs exceed the funds available in the trust fund. **[4 family units]**

#### **Proposed Growth Share Affordable Housing Mechanisms**

<b>Type/Name of Affordable Housing Mechanism</b>	<b>Type of Affordable Unit</b>	<b># Units/Bedrooms</b>	<b>Bonus Type</b>	<b># Bonuses</b>	<b>Total Units/Bedrooms + Bonuses</b>
Waterfront Development Area	Redevelopment	60			60
Beaunit Mills Development Area	Redevelopment	4			4
<b>TOTALS</b>		<b>64</b>			<b>64</b>

#### **Growth Share Parameters**

Beverly has satisfied the applicable growth share parameters as follows:

**Growth Share Rental Obligation:<sup>4</sup> 20 Units**

Development/Project Name	Type of Affordable Unit	# Units
Beverly Commons Senior Housing	100% Affordable	10
Waterfront Development Area	Redevelopment	10
<b>TOTAL</b>		<b>20</b>

**Growth Share Family Rental Requirement<sup>5</sup> : 10 Units**

Development/Project Name	Type of Affordable Unit	# Units
Waterfront Development Area	Redevelopment	10
<b>TOTAL</b>		<b>10</b>

**Growth Share Minimum Family Requirement<sup>6</sup> : 33 Units**

Development/Project Name	Type of Affordable Unit	# Units
Waterfront Development Area	Redevelopment	60
Beaunit Mills Development Area	Redevelopment	4
<b>TOTAL</b>		<b>64</b>

**Very Low Income Minimum Requirement<sup>7</sup> : 8 Units**

Development/Project Name	Type of Affordable Unit	# Units
Waterfront Development Area	Redevelopment	10
<b>TOTAL</b>		<b>10</b>

<sup>4</sup> Projected Growth Share Rental Obligation: .25(Projected Growth Share) or .25(79)= 19.75 or 20 units  
N.J.A.C. 5:97-3.10(b)3

<sup>5</sup> Projected Growth Share Family Rental Requirement: .5(Projected Growth Share Rental Requirement) or .5(20) = 10 units N.J.A.C. 5:97-3.4(b)

<sup>6</sup> Projected Growth Share Family Requirement: .5(Units Addressing the Growth Share Obligation) or .5(65) = 32.5 or 33 units N.J.A.C. 5:97-3.9

<sup>7</sup> Growth Share Very Low Income Requirement: .13(Projected Growth Share – Bonuses) or .13(79 – 19) = 7.8 or 8 units pursuant to P.L.2008, c.46

**Age-Restricted Maximum<sup>8</sup> : 19 Units**

<b>Development/Project Name</b>	<b>Type of Affordable Unit</b>	<b># Units</b>
Beverly Commons Senior Housing	100% Affordable	19
<b>TOTAL</b>		<b>19</b>

**Actual Growth Share Obligation**

The actual growth share obligation will be based on permanent certificates of occupancy issued within the municipality for market-rate residential units and newly constructed or expanded non-residential developments in accordance with Appendix D of N.J.A.C. 5:97. At plan evaluation review pursuant to N.J.A.C. 5:96-10, COAH will compare the actual growth share obligation with the actual number of affordable units constructed.

The New Jersey Department of Community Affairs (NJ DCA) *Construction Reporter* indicates that between January 1, 2004 and September 2008, Beverly had issued certificates of occupancy for 11 housing units and also for the non-residential square footage equivalent of eight jobs, yielding an actual growth share obligation through September 30, 2008, of three affordable units.<sup>9</sup>

**D. Summary of Plan to Address Fair Share Obligation**

**REHABILITATION SHARE SUMMARY**

**Rehabilitation Share: 16 Units**

<b>Program Name</b>	<b># Units</b>
Municipal Rehab Program	12
Surplus New Construction Credits	4
<b>TOTAL</b>	<b>16</b>

<sup>8</sup> Projected Growth Share Age Restricted Maximum:  $.25(\text{Projected Growth Share})$  or  $.25(79) = 19.75$  or 19 units

<sup>9</sup> The number of residential COs (11) is initially divided by 5 to yield 2.2 units and the number of jobs (8) is initially divided by 16 to yield .5 units. Beverly's total actual growth share is therefore 3 units (2.2 res + 0.5 non-res = 3). **Note:** This number does not take into account allowable exclusions permitted under N.J.A.C. 5:97-2.4; therefore, the actual growth share may vary.

**PRIOR ROUND SUMMARY**  
**Prior Round RDP: 0 Units**

	<b>Name of Mechanism</b>	<b># Units/ Bedrooms</b>	<b>Bonus Type</b>	<b># Bonuses</b>	<b>Total Units/Bedrooms + Bonuses</b>
<b>Post-1986 Credits (unmet need)</b>	Beverly Commons Senior Housing	4			4
	Habitat for Humanity	5			5
	Burlington County Community Action Program	7			7
<b>Subtotal</b>		<b>16</b>		<b>0</b>	<b>16</b>
<b>TOTAL</b>					<b>16</b>

**GROWTH SHARE SUMMARY**  
**Projected Growth Share Obligation: 79 Units**

	<b>Name of Mechanism</b>	<b># Units/ Bedrooms</b>	<b>Bonus Type</b>	<b># Bonuses</b>	<b>Total Units/Bedrooms + Bonuses</b>
<b>Post-1986 Credits</b>	Beverly Commons Senior Housing	19			19
	Habitat for Humanity	5			5
<b>Subtotal</b>		<b>24</b>		<b>0</b>	<b>24</b>
<b>Proposed Mechanisms</b>	Waterfront Development Area	60			60
	Beaunit Mills Development Area	4			4
<b>Subtotal</b>		<b>64</b>			<b>64</b>
<b>TOTAL</b>					<b>88</b>
<b>SURPLUS CREDITS ADDRESSING REHABILITATION</b>					<b>4</b>
<b>REMAINING SURPLUS</b>					<b>5</b>



### **III. FAIR SHARE DOCUMENT REVIEW**

#### **A. Development Fee Ordinance**

Beverly's third round Housing Element and Fair Share Plan included a development fee ordinance that was adopted by the City on December 23, 2008, and approved by COAH on March 24, 2009.

#### **B. Third Round Spending Plan**

A third round spending plan was submitted by Beverly with the City's third round petition for COAH's review and approval. The spending plan will be reviewed by COAH in a separate report.

#### **C. Affordable Housing Ordinance/Affordable Housing Administration**

Beverly has submitted draft affordable housing ordinance that comports with the requirements of the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq., which was amended on December 20, 2004. The draft proposed ordinance has been amended to include the compliance with barrier free subcode of the State Uniform Construction Code Act (N.J.S.A. 52:27D-119 et seq.) and the accessibility requirements of N.J.S.A. 52:27D-123.15. The draft ordinance must be adopted within 45 days of COAH's grant of substantive certification and submitted to COAH immediately upon adoption.

An ordinance establishing the position of a municipal housing liaison and a resolution appointing a municipal housing liaison were adopted by the City on December 22, 2008.

Beverly is responsible for the continued re-sale and re-rental of existing affordable units and the initial sale and rental of newly constructed affordable units within the City and must identify an experienced administrative entity for that purpose by the contract, agreement or letter. The City must designate an administrative agent for the two redevelopment areas and any future rehabilitation program as construction draws closer. Pursuant to N.J.A.C. 5:80-26.14(b), Beverly will submit a written operating manual for administering affordable units within the City.

**D. Affirmative Marketing Plan**

Beverly will submit an affirmative marketing plan that comports with the requirements of the UHAC and ensures the units in the City's 1987-2018 Fair Share Plan and all future affordable housing units will be affirmatively marketed to the region upon initial sale/rental and re-sale/re-rental. Once approved by COAH, the affirmative marketing plan must be adopted by resolution by the City within 45 days of COAH's grant of substantive certification and submitted to COAH.

**IV. MONITORING**

Beverly must comply with COAH monitoring requirements as set forth in N.J.A.C. 5:96-11, including reporting the City's actual growth pursuant to N.J.A.C. 5:97-2.5. Pursuant to N.J.A.C. 5:96-10.1, COAH will conduct biennial plan evaluations upon substantive certification of Beverly's Housing Element and Fair Share Plan. The purpose of the plan evaluation is to verify that the construction or provision of affordable housing has been in proportion to the actual residential growth and employment growth in the municipality and to determine that the mechanisms addressing the projected growth share obligation continue to present a realistic opportunity for the creation of affordable housing. If upon any biennial review the difference between the number of affordable units constructed or provided in Beverly and the number of units required pursuant to N.J.A.C. 5:97-2.5 results in a pro-rated production shortage of 10 percent or greater or the mechanisms addressing the projected growth share obligation no longer present a realistic opportunity for the creation of affordable housing, the Council may direct the municipality to amend its plan to address the shortfall.

**V. RECOMMENDATION**

COAH staff recommends that Beverly be granted third round substantive certification. Beverly must adopt all necessary implementing ordinances within 45 days of the grant of substantive certification and submit certified copies of the adopted ordinances to COAH within seven days of the adoption.